

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

IN RE: AQUEOUS FILM-FORMING
FOAMS PRODUCTS LIABILITY
LITIGATION

MDL No. 2:18-mn-2873-RMG

CASE MANAGEMENT ORDER NO. 29

**This Order Relates to
ALL CASES**

**Appointment of Counsel to
Plaintiffs' and Defendants' Leadership, Liaison, and Committee Positions
For the March 2024 through March 2025 Term**

1. In CMO Nos. 2, 3, 10, 15, and 24, the Court appointed attorneys as Plaintiffs' Co-Lead Counsel and Liaison Counsel, as well as to the Plaintiffs' Executive Committee ("PEC"). The Court also appointed attorneys as Defendants' Co-Lead Counsel and Co-Liaison Counsel, as well as to the Defense Coordination Committee ("DCC").
2. Each of those appointments were for one-year terms and each appointee is required to apply for continued service thereafter.
3. The Court has reviewed the applications of attorneys who seek re-appointment and/or who seek to be appointed in this MDL for the first time. The appointments for the March 2024 through March 2025 term are as follows:

Plaintiffs' Appointments

4. The Court appoints and/or reappoints:

PEC Lead Counsel:

Michael A. London
Douglas & London, P.C.
59 Maiden Lane, 6th Fl.
New York, NY 10038

Paul J. Napoli
Napoli Shkolnik
1302 Avenida Ponce de Leon
Santurce, Puerto Rico 00907

Scott Summy
Baron & Budd, P.C.
3102 Oak Lawn Ave., #1100
Dallas, TX 75219

Joseph F. Rice
Motley Rice LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464

PEC Liaison Counsel:

Fred Thompson, III
Motley Rice, LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464

PEC Members:

Charles E. Schaffer
Levin Sedran & Berman
510 Walnut St., 5th Fl.
Philadelphia, PA 19106

Richard S. Lewis
Hausfeld
1700 K St. N.W., Suite 650
Washington, DC 20006

Kevin Madonna
Kennedy & Madonna, LLP
48 Dewitt Mills Rd.
Hurley, NY 12443

Frank L. Gallucci, III
Plevin & Gallucci
55 Public Square, Suite 2222
Cleveland, OH 44113

William J. Jackson

Kelley Drye & Warren LLP
515 Post Oak Blvd., Suite 900
Houston, TX 77027

Wesley Bowden
Levin, Papantonio, Thomas, Mitchell, Rafferty, Proctor P.A.
316 South Baylen St.
Pensacola, FL 32502

Nancy Christensen
Weitz & Luxenberg, P.C.
700 Broadway
New York, NY 10003

T. Roe Frazer, II
Frazer PLC
1 Burton Hills Blvd., Suite 215
Nashville, TN 37215

James Ferraro
The Ferraro Law Firm
600 Brickell Ave., Suite 3800
Miami, FL 33131

Christiaan A. Marcum
Rogers, Patrick, Westbook & Brickman
1037 Chuck Dawley Blvd., Building A
PO Box 1007
Mount Pleasant, SC 29465

Gregory A. Cade
Law Offices of Environmental Litigation Group, P.C.
2160 Highland Ave. South
Birmingham, AL 35205

Christina Cossich
Cossich, Sumich, Parsiola & Taylor LLC
8937 Highway 23
Belle Chasse, LA 70037

Gale D. Pearson
Fears Nachawati Law Firm
310 4th Avenue South
Suite 5010
Minneapolis, MN 55415

Carl Solomon
Solomon Law Group, LLC
P.O. Box 1866
Columbia, SC 29202

Benjamin Richman
Edelson PC
350 North LaSalle Street, 14th Fl.
Chicago, IL 60654

Michael Stag
Stag Liuzza, LLC
365 Canal Street, Suite 2850
New Orleans, LA 70130

Ken Sansone
SL Environmental Law Group
91 North State Street, Suite 101
Concord, NH 03301

Matthew Pawa
Seeger Weiss
1280 Centre Street
Suite 230
Newton, MA 02459

Larry R. Cohan
Saltz Mongeluzzi & Bendesky, P.C.
One Liberty Place, 52nd Floor
1650 Market St
Philadelphia, PA 19103

Stephanie Biehl, Esq.
Sher Edling, LLP
100 Montgomery St., Suite 1410
San Francisco, CA 94104

J. Edward Bell, III
Bell Legal Group
219 Ridge Street
Georgetown, SC 29440

Elizabeth C. Pritzker, Esq.
Pritzker Levine LLP
1900 Powell Street, Suite 450
Emeryville, CA 94608

Kevin Hannon, Esq.¹
Singleton Schreiber, LLP
1641 North Downing Street
Denver, Colorado 80218

Elizabeth Fegan, Esq.
Fegan Scott LLC
150 S. Wacker Drive, 24th Floor
Chicago, IL 60606

Advisory Counsel to the PEC:

Robert A. Bilott
Taft Stettinius & Hollister LLP
425 Walnut St., Suite 1800
Cincinnati, OH 45202

Defendants' Appointments

5. The Court reappoints as Defendants' Co-Lead Counsel:

Joseph G. Petrosinelli
Williams & Connolly LLP
680 Maine Avenue SW
Washington, DC 20024

Michael A. Olsen
Mayer Brown LLP
71 S. Wacker Dr.
Chicago, IL 60606

6. The Court reappoints as Defendants' Co-Liaison Counsel:

David E. Dukes
Nelson Mullins Riley & Scarborough LLP
1320 Main Street, Fl. 17
Columbia, SC 29201

Brian C. Duffy
Duffy & Young LLC
96 Broad Street
Charleston, SC 29401

¹ While Mr. Kevin Hannon did not seek re-appoint in 2023, he does seek the re-appointment at this time.

7. The Court reappoints and/or appoints to the DCC:

Joseph G. Petrosinelli
Williams & Connolly LLP
680 Maine Avenue SW
Washington, DC 20024

Michael A. Olsen
Mayer Brown LLP
71 S. Wacker Dr.
Chicago, IL 60606

David E. Dukes
Nelson Mullins Riley & Scarborough LLP
1320 Main St., 17th Fl.
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Brian C. Duffy
Duffy & Young LLC
96 Broad Street
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AFFF Manufacturing Defendant Sub-Group:

Keith H. Bensten
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Amanda S. Kitts
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J. Liat Rome
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Brian Stekloff
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Non-AFFF Manufacturing Defendant Sub-Group:

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Brent Dwerlkotte
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Ruth A. Levy

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United States of America Defendant Sub-Group:

Christina M. Falk
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David Hammack
United States Department of Justice
Civil Division, Environmental Torts Branch
175 N St., N.E.
Washington, DC 20002

Haroon Anwar
United States Department of Justice
Civil Division, Environmental Torts Branch
175 N St., N.E.
Washington, DC 20002

Marianne Kies
United States Department of Justice
Civil Division, Environmental Torts Branch
175 N St., N.E.
Washington, DC 20002

Other Defendant Sub-Group:

Elizabeth Knauer
Sive, Paget & Riesel P.C.
560 Lexington Ave., 15th Fl.
New York, NY 10022

Mark A. Chertok
Sive Paget & Riesel, P.C.
560 Lexington Ave., 15th Fl.
New York, NY 10022

8. The organizational structure, authority and responsibilities of these designated leadership, liaison and committee members remain as provided in CMO No. 2, as does a committee's and the Court's authority to amend or expand the appointments as circumstances warrant.
9. These designations are of a personal nature. Accordingly, the Court looks to these counsel to undertake personal responsibility to perform their designated functions and, should they become unable to do so, the Court reserves the discretion to replace counsel on their request or on the Court's own motion.
10. These designations to leadership, liaison and committee positions are for a period of one year. Each appointee must apply for continued service thereafter.

AND IT IS SO ORDERED.

s/Richard Mark Gergel
Richard Mark Gergel
United States District Judge

April 25, 2024
Charleston, South Carolina